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September 26, 2002 **RECEIVED**

SEP 26 2002

Via Hand Delivery

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

**RE: AirCell, Inc. Experimental License KI2XCS (FRN 0005-8845-31),
AirCell, Inc. Petition for Extension of Waiver, WT Docket No. 02-86,
AirCell, Inc. proceedings on remand from AT&T Wireless Services,
Inc., et al. v. FCC, 270 F.3d 959 (D.C. Cir. 2001),
AirCell, Inc. Petition, Pursuant to Section 7 of the Act, for a
Waiver of the Airborne Cellular Rule Emergency Petition for a
Declaratory Ruling**

Dear Ms. Dortch:

On behalf of AirCell, Inc. ("AirCell"), I am writing to notify you that on September 25, 2002, an *ex parte* presentation regarding the proceedings referred to above was made by AirCell representatives Jim Stinehelfer, President; Bill Gordon, Vice President-Federal Regulatory; and Ken Jochim, Vice President-Operations; and my colleague Michele Farquhar and I. The FCC staff members at the presentation included James D. Schlichting, Deputy Chief, Wireless Telecommunications Bureau ("WTB"); David Furth, Senior Legal Advisor, WTB; William Kunze, Chief, Commercial Wireless Division ("CWD")/WTB; Katherine Harris, Deputy Chief, CWD/WTB; B.C. "Jay" Jackson, Engineering Advisor to the Chief, CWD/WTB; Leon J. Jackler, Attorney, CWD/WTB; Julius Knapp, Deputy Chief, Office of Engineering and Technology ("OET"); and James R. Burtle, Chief, Experimental Licensing Branch, OET.

The presentation discussed the summary points set forth in the attached slides, including the growing demand for new safety and consumer wireless devices on commercial airlines, and various approaches under consideration by AirCell to address this demand. No written materials were distributed.

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Marlene H. Dortch
September 26, 2002
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If there are any questions, please contact me directly.

Respectfully submitted,



Ronnie London
Counsel to AirCell, Inc.

Enclosures

cc: Ed Thomas, Chief, Office of Engineering and Technology
James Schlichting, Deputy Chief, Wireless Telecommunications Bureau
Attached service list



**Aircraft
Communications
Systems**

**Presentation for the FCC
September 25, 2002**



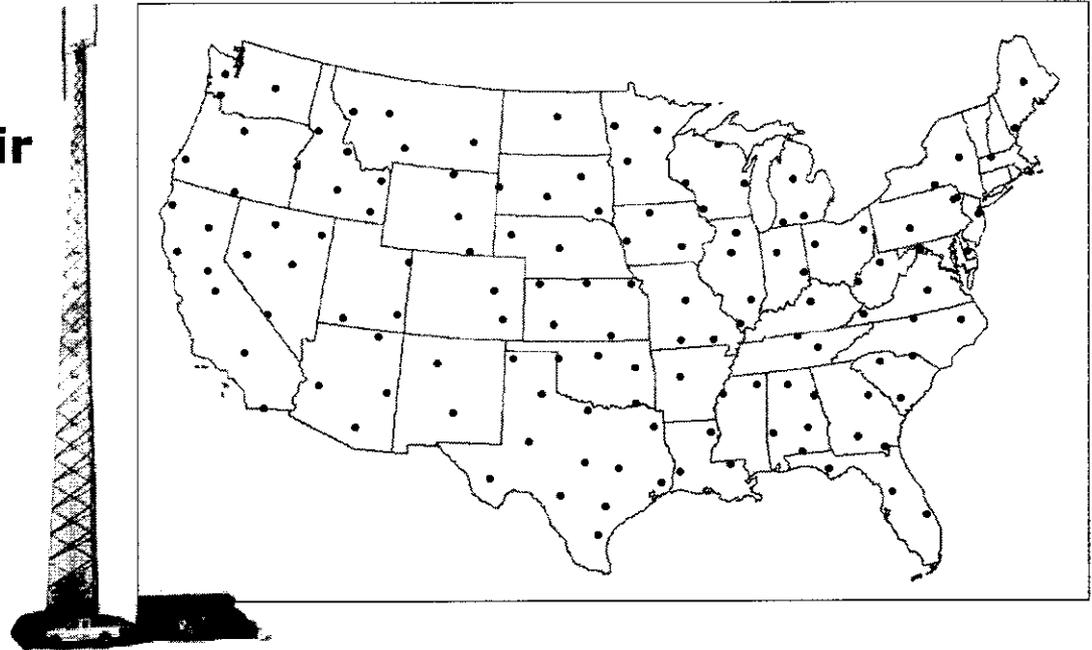
Agenda

- AirCell Update
- Airline Security Communications
- Airline Passenger Alternatives
- AirCell Experimental



Network Technology

- **135 Sites on-line**
- **95% Coverage for all air routes over the Conus**
- **23 Licensed Providers**
- **Proprietary Antennas**
- **Dedicated Site Electronics**
- **Dedicated RF Channels**
- **Performance better than "Cellular"**





History and Accomplishments

Key Customers



- 1200 customers in the air
- NetJet, #1 Fractional Ownership Company
- Flight Options, #2 Fractional Ownership Company
- Government Agencies
 - US Navy SWDG, US Bureau of Reclamation
- Aircraft Manufacturers
 - Cessna, Raytheon, Lear, etc.
- Fortune 500 Companies: ConAgra, Chevron Inc.
- Airlines: Frontier, JetBlue (FAA contract)



AirCell Credentials - Existing Products and Services

- Airborne Receiver/Transmitters:
 - Air Operation, Air and Ground Operation (cellular and satellite), Voice and Data
- Cabin Telecom Handsets
- Fuselage Mounted Cellular/Satellite Antennas
- Services Include:
 - Voice calls (send/receive), Data (weather, email, Internet)
- All AirCell products are designed, certified, manufactured and installed to the appropriate FAA standards



FCC Issues

List of potential issues

- 1) Experimental License issues
- 2) Waiver/Forbearance Issues
 - 1) Cordless link
 - 2) Enforcement measures to ensure no unauthorized use



Airline Passenger Services

Service to replace loss of AT&T Claircom offering
(AT&T ceased all aviation services on September 1,
2002)

Crew and Passenger Services requested include:

Voice calls to and from the aircraft

Data service to and from the aircraft

Most Major Airlines have requested AirCell to propose
solutions that allow passengers to use personal mobile
devices in flight.



Passenger Mobile Subscriber Devices

Possible Approaches

Pico Cells

Voice over IP-802.11G

Bluetooth

"Relator" (referred to as "repeater" in WAEA presentation)



Next Generation Digital Services

AirCell desires to migrate to digital based service within three years

Analog phasing out in 5 years

3G convergence may open international markets

Digital service more feature rich

Higher speed data rates are possible

CERTIFICATE OF SERVICE

I, Susan Maier, do hereby certify that the foregoing Notice of Ex Parte Contact was served on this 26th day of September, 2002, by hand delivery and first-class U.S. mail on:

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